

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

JOANNE HARRIS, *et al.*,

Plaintiffs,

V.

ROBERT F. McDONNELL, JANET M.
RAINEY, and THOMAS E. ROBERTS,
in their official capacities

Defendants.

Civil Action No. 5:13-cv-00077

**STATE DEFENDANTS' RESPONSE TO PLAINTIFFS' OBJECTION TO
NOTICE OF HEARING**

In their Objections to Notice of Hearing, Plaintiffs mistakenly claim that this Court's Scheduling Order requires State Defendants to confer with Plaintiffs before noticing another motion for an already scheduled hearing on October 29. (Docs. 53, 57.) The parties had previously agreed to bring on argument on this date with regard to Plaintiffs' Motion to Certify Class and Defendants' Motions to Dismiss, and this Court had set it as the first available Civil Motions day to hear these preliminary matters. (Dkt. 41.) Because the most recently noticed motion by State Defendants bears upon and is logically prior to the other motions scheduled for hearing on October 29, it should be taken up at that time as well.

Respectfully Submitted,

ROBERT F. McDONNELL
and JANET M. RAINEY,
in their official capacities

By: /s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of October 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to counsel who are registered CM/ECF users.

/s/

E. Duncan Getchell, Jr.